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Attorneys for Defendant/Counterclaimant/Third-Party Plaintiff

9440 Fairview Avenue LLC, and Defendants Timothy Murray,

Joseph Sanzari Inc. and North Bergen Asphalt LLC

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Attorneys for Defendant Joseph Sanzari, individually

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

AMA REALTY LLC,

Plaintiff/Counterclaim
Defendant,

v.

9440 FAIRVIEW AVENUE, LLC, JOSEPH
SANZARI, TIMOTHY MURRAY, JOSEPH
M. SANZARI INC., NORTH BERGEN
ASPHALT LLC, and TILCON NEW YORK,
INC.

Defendants/Counterclaimant/
Third-Party Plaintiff

v.

MILLENNIUM RESOURCES RECOVERY,
LTD, PERFECT BODY & FENDERS CO.,
INC., and JOHN DOES 1-5.

Third-Party Defendants.

CIVIL ACTION NO.: 02:13-cv-00457

FILED ELECTRONICALLY

**NOTICE OF MOTION *IN LIMINE* TO
PRECLUDE THE OPINIONS OF SUSAN
MIANO, CPA, ABV, CFF CONTAINED IN
THE FRIEDMAN LLP EXPERT REPORT
DATED FEBRUARY 29, 2016 &
ADDENDUM DATED MARCH 30, 2018**

TO: Paul Batista, Esq.
26 Broadway – Suite 1900
New York, NY 10004

Michael Farhi, Esq.
Kates Nussman Rapone Ellis & Farhi, LLP
190 Moore Street, Room 306
Hackensack, NJ 07601
Attorneys for Plaintiff, AMA Realty LLC

PLEASE TAKE NOTICE that on September 26, 2019, at 10:30 a.m., or as soon thereafter as counsel may be heard, Defendant/Counterclaimant/Third-Party Plaintiff 9440 Fairview Avenue LLC, and Defendants Joseph M. Sanzari, Inc., North Bergen Asphalt LLC, and Timothy Murray, individually, by their undersigned counsel, Connell Foley LLP, and Defendant Joseph Sanzari, individually, by his counsel Krovatin Klingeman LLC, (collectively “Defendants”) shall move before the Honorable John M. Vazquez, U.S.D.J., at the Martin Luther King Federal Building & U.S. Courthouse, Newark, New Jersey, for entry of an Order precluding the opinions of Susan Miano, CPA, ABV, CFF contained in the Friedman LLP Expert Report dated February 29, 2016 and Addendum dated March 30, 2018.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendants will rely upon the Brief and Certification of Timothy E. Corrison with Exhibits submitted herewith, and any additional submissions made hereafter; and

PLEASE TAKE FURTHER NOTICE that a proposed form of Order has been submitted herewith pursuant to the Rules of this Court; and

PLEASE TAKE FURTHER NOTICE that oral argument is requested on this matter.

CONNELL FOLEY LLP

By: /s/ Timothy E. Corrison, Esq.
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*Attorneys for Defendant/Counterclaimant 9440
Fairview Avenue LLC, and Defendants Joseph M.
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Timothy Murray, individually*

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*Attorneys for Defendant Joseph Sanzari,
individually*

Dated: July 15, 2019